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## FORM B10 (Official Form 10) (10/05)

UNITED STATES BANKRUPTCY COURT <u>Northern</u> DISTRICT OF <u>Texas</u>		PROOF OF CLAIM								
Name of Debtor <u>Agape Christian Fellowship of Arlington</u>										
Case Number <u>07-40983</u>										
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.										
Name of Creditor (The person or other entity to whom the debtor owes money or property): <u>Rosita Sterling</u>		<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input checked="" type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.								
Name and address where notices should be sent: <u>G. Lee Finley</u> <u>P.O. Box 1307</u> <u>Coppell, TX 75019</u> Telephone number: <u>(214) 256-3906</u>										
Last four digits of account or other number by which creditor identifies debtor:		Check here <input type="checkbox"/> replaces if this claim <input type="checkbox"/> amends a previously filed claim, dated: _____								
<b>1. Basis for Claim</b> <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input checked="" type="checkbox"/> Other <u>Suit for sexual assault and negligence</u>										
<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (fill out below) Last four digits of your SS #: _____ Unpaid compensation for services performed from _____ to _____ (date) (date)										
<b>2. Date debt was incurred:</b> <u>July 27, 2003</u>		<b>3. If court judgment, date obtained:</b>								
<b>4. Classification of Claim.</b> Check the appropriate box or boxes that best describe your claim and state the amount of the claim at the time case filed. See reverse side for important explanations. <u>Unsecured Nonpriority Claim \$ 10,000,000.00</u> <input checked="" type="checkbox"/> Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or if c) none or only part of your claim is entitled to priority.										
<b>Unsecured Priority Claim</b> <input type="checkbox"/> Check this box if you have an unsecured claim, all or part of which is entitled to priority. Amount entitled to priority \$ _____ Specify the priority of the claim: <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B) <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,000),* earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).										
<b>Secured Claim</b> <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____ Value of Collateral: \$ _____ Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ _____										
<input type="checkbox"/> Up to \$2,225* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____). *Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.										
<b>5. Total Amount of Claim at Time Case Filed:</b> <table style="width: 100%; border: none;"> <tr> <td style="text-align: right;">\$ 10,000,000</td> <td style="text-align: right;">-0-</td> <td style="text-align: right;">-0-</td> <td style="text-align: right;">10,000,000</td> </tr> <tr> <td style="text-align: center;">(unsecured)</td> <td style="text-align: center;">(secured)</td> <td style="text-align: center;">(priority)</td> <td style="text-align: center;">(Total)</td> </tr> </table> <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.			\$ 10,000,000	-0-	-0-	10,000,000	(unsecured)	(secured)	(priority)	(Total)
\$ 10,000,000	-0-	-0-	10,000,000							
(unsecured)	(secured)	(priority)	(Total)							
<b>6. Credits:</b> The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.		THIS SPACE IS FOR COURT USE ONLY								
<b>7. Supporting Documents:</b> Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.										
<b>8. Date-Stamped Copy:</b> To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.										
Date <u>04/09/2007</u> Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): <u>/s/ G. Lee Finley, Attorney at Law</u>										

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. § 1573.



FORM B10 (Official Form 10) (10/05)

**INSTRUCTIONS FOR PROOF OF CLAIM FORM**

*The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.*

**— DEFINITIONS —****Debtor**

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

**Creditor**

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

**Proof of Claim**

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

**Secured Claim**

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*.)

**Unsecured Claim**

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

**Unsecured Priority Claim**

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

**Items to be completed in Proof of Claim form (if not already filled in)****Court, Name of Debtor, and Case Number:**

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

**Information about Creditor:**

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

**1. Basis for Claim:**

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

**2. Date Debt Incurred:**

Fill in the date when the debt first was owed by the debtor.

**3. Court Judgments:**

If you have a court judgment for this debt, state the date the court entered the judgment.

**4. Classification of Claim****Secured Claim:**

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the

amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

**Unsecured Priority Claim:**

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

**Unsecured Nonpriority Claim:**

Check the appropriate place if you have an unsecured nonpriority claim, sometimes referred to as a "general unsecured claim". (See DEFINITIONS, above.) If your claim is partly secured and partly unsecured, state here the amount that is unsecured. If part of your claim is entitled to priority, state here the amount **not** entitled to priority.

**5. Total Amount of Claim at Time Case Filed:**

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

**6. Credits:**

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

**7. Supporting Documents:**

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

NO. 67-209238-04

JOYCELYN LLOYD,

Plaintiff,

v.

TERRY L. HORNBuckle, ET AL.

Defendants.

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IN THE DISTRICT COURT OF

TARRANT COUNTY, TEXAS

67<sup>th</sup> JUDICIAL DISTRICT

FILED  
TARRANT COUNTY  
2005 AUG 15 AM 9:37  
THOMAS A. HENDER  
DISTRICT CLERK

NO. 153-209239-04

KRYSTAL JOY BUCHANAN,

Plaintiff,

v.

TERRY L. HORNBuckle, ET AL.

Defendants.

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IN THE DISTRICT COURT OF

TARRANT COUNTY, TEXAS

153<sup>RD</sup> JUDICIAL DISTRICT

NO. 236-209524-05

ROSITA STERLING,

Plaintiff,

v.

TERRY L. HORNBuckle, ET AL.

Defendants.

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IN THE DISTRICT COURT OF

TARRANT COUNTY, TEXAS

236<sup>th</sup> JUDICIAL DISTRICT

PLAINTIFF ROSITA STERLING'S FIRST AMENDED ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Plaintiff, ROSITA STERLING, who makes and files this First Amended Original Petition against Defendant Terry L. Hornbuckle (hereinafter

PLAINTIFF ROSITA STERLING'S FIRST AMENDED ORIGINAL PETITION

PAGE 1

"Hornbuckle"), Agape Christian Fellowship of Arlington (hereinafter the "Church"), Dan Andrew Mikals, Lisa J. Mikals, Eben S. Conner, Sarah Melinda Conner, James Cleporter Sharpe, IV, Monita Vining Sharpe, Celquetti DN Easter (Quett), and Karen Lewis (hereinafter "Church Leaders") and all Defendants referred above will be collectively referred to as "Defendants", and would respectfully show unto the Court the following:

**I.**  
**Discovery Control Plan**

1.1 Pursuant to Rule 190.1 of the Texas Rules of Civil Procedure, Plaintiff requests that discovery be conducted under a Level 2 discovery control plan.

**II.**  
**Parties**

2.1 Plaintiff is an individual residing in Dallas County, Texas.

2.2 Defendant, Terry L. Hornbuckle, is an individual whose service can be had by serving him at his church, Agape Christian Fellowship of Arlington, 2350 E. Mayfield Road, Arlington, TX 76014. Defendant has been served with process and has answered and appeared.

2.3 Defendant, Agape Christian Fellowship of Arlington, can be served by serving its registered agent, Defendant Terry L. Hornbuckle, at 2350 E. Mayfield Road, Arlington, Texas 76014, or at 2001 E, Division Street, Suite 119, Arlington, Texas 76011. Defendant has been served with process and has answered and appeared.

2.4 Defendant, Dan Andrew Mikals, is an individual whose service can be had by serving him at his residence at #2 Pond View Court, Mansfield, Texas 76063. Defendant has been served with process and has answered and appeared.

2.5 Defendant, Lisa J. Mikals, is an individual whose service can be had by serving her at her residence at #2 Pond View Court, Mansfield, Texas 76063. Defendant has been served with process and has answered and appeared.

2.6 Defendant, Eben S. Conner, is an individual whose service can be had by serving him at his residence at 1628 Stratford, Mansfield, Texas 76063. Defendant has been served with process and has answered and appeared.

2.7 Defendant, Sarah Conner, is an individual whose service can be had by serving her at her residence at 1628 Stratford, Mansfield, Texas 76063. Defendant has been served with process and has answered and appeared.

2.8 Defendant, James Cleporter Sharpe, IV, is an individual whose service can be had by serving him at his residence at 2932 Mosaic Court, Grand Prairie, Texas 75052. Defendant has been served with process and has answered and appeared.

2.9 Defendant, Monita Vining Sharpe, is an individual whose service can be had by serving her at her residence at 2932 Mosaic Court, Grand Prairie, Texas 75052. Defendant has been served with process and has answered and appeared.

2.10 Defendant, Celquetti DN Easter (Quett), is an individual whose service can be had by serving her at her residence at 5301 Sherburn Drive, Arlington, Texas 76010. Defendant has been served with process and has answered and appeared.

2.11 Defendant, Karen Lewis, is an individual whose service can be had by serving her at her residence at the Church located at 2350 E. Mayfield Road, Arlington, Texas 76014. Defendant has been served with process and has answered and appeared.

**III.**  
**Venue**

3.1 Venue is proper in Tarrant County, Texas, pursuant to Texas Civil Practice and Remedies Code Sections 15.002(a)(1).

**IV.**  
**Facts**

4.1 Defendant Church is a large church located within Tarrant County, Texas. Plaintiff was a member of Defendant Church. Its spiritual leaders are Defendant Terry L. Hornbuckle, who serves as the Bishop of the Church and the senior spiritual leader, and his wife, Pastor Renee.

4.2 On July 27, 2003, Terry Hornbuckle called Sterling and told her he wanted to give her a benevolent gift of money. Sterling arranged to meet Hornbuckle in the parking lot of the Quality Inn at 3891 South Great Southwest Parkway in Grand Prairie, in Tarrant County. When Sterling arrived, Hornbuckle asked her to get in his truck. Sterling saw other people nearby, so she believed it to be safe. Hornbuckle was drinking from a bottle of wine, and he offered Sterling a drink. She declined. Hornbuckle then took his penis out of his pants and fondled himself, first by using his own hand and then by taking Sterling's hand and using it for that purpose. Sterling told Hornbuckle this was wrong and that she needed to go home. Hornbuckle then grabbed Sterling's hands and moved toward her. He pulled her dress up and pulled her panties down. Because he had her hands pinned down, and because the heat in the truck quickly exhausted her as she tried to resist, she was unable to prevent Hornbuckle from sexually assaulting her. During the assault, Hornbuckle ejaculated inside of her.

V.  
Agency

5.1 At and during the time of the acts complained of herein, Defendant Hornbuckle, was an agent, representative, and/or employee of Defendant Church and Defendant Church Leaders. Defendant Hornbuckle was acting within the course and scope of his actual or apparent authority or employment when he assaulted Plaintiff.

5.2 At and during the time of the acts complained of herein, Defendant Church Leaders were compensated agents, representatives, and/or employees of Defendant Church.

5.3 Defendant Church and Defendant Church Leaders are liable to Plaintiff for the acts and/or omissions of Defendant Hornbuckle as their agent, representative or employee complained of herein by virtue of such agency relationship.

VI.  
Respondeat Superior

6.1 At and during the time of the acts and/or omissions complained of herein, said acts and/or omissions of Defendant Hornbuckle, occurred within the scope of his employment with the Defendant Church and Defendant Church Leaders.

6.2 Defendant Church and Defendant Church Leaders are therefore liable to Plaintiff for the acts and/or omissions of any such employee complained of herein under the doctrine of respondeat superior.

VII.  
Causes of Action  
A. Assault

7.1 Plaintiff would show that Defendant Hornbuckle's actions set out in paragraph IV above constitute an assault against Plaintiff.

**B. Intentional Infliction of Emotional Distress**

7.2 Plaintiff would show that Defendant Hornbuckle's actions set out in paragraph IV above constitute intentional infliction of emotional distress against Plaintiff.

**C. Negligence**

7.3 Defendant Church and Defendant Church Leaders had the duty to investigate the moral background of Defendant Hornbuckle before hiring him in the capacity of pastor and/or bishop. Defendant Church and Defendant Church Leaders had the further duty to review Defendant Hornbuckle's performance as pastor and/or bishop and to investigate any complaints regarding Defendant Hornbuckle. Defendant Church and Defendant Church Leaders failed in their duty to adequately investigate the background of Defendant Hornbuckle before hiring him as pastor and/or bishop of the Church. Defendant Church and Defendant Church Leaders failed in their duty to adequately investigate complaints regarding Defendant Hornbuckle after he was hired by Defendant Church and Defendant Church Leaders. Defendant Church and Defendant Church Leaders were placed on notice that Defendant Hornbuckle was using his position as pastor and/or bishop for immoral and illegal purposes by various members of the Church. The negligence of the Defendant Church and Defendant Church Leaders to review Defendant Hornbuckle's performance as pastor and/or bishop and to investigate any complaints regarding Defendant Hornbuckle permitted Defendant Hornbuckle to use his position as pastor and/or bishop to commit the sexual abuse upon Plaintiff. Such negligence by Defendant Church and Defendant Church Leaders was a direct and proximate cause of the injuries suffered by Plaintiff in the acts committed upon her by Defendant Hornbuckle.

VIII.  
Damages

8.1 Plaintiff has suffered damages by incurring medical bills and severe emotional distress in excess of the minimum jurisdictional limits of this court.

8.2 Plaintiff seeks exemplary damages caused by Defendants' willful, intentional and malicious acts under TEX. CIV. PRAC. & REM. CODE Section 41.003 in excess of the minimum jurisdictional limits of this court.

IX.  
Demand for Jury

9.1 Plaintiff demands a jury trial and tenders the appropriate fee with this petition.

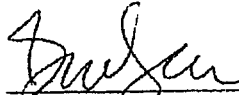
X.  
Prayer

10.1 For these reasons, the Plaintiff asks that the Defendants be cited to appear and answer and that the Plaintiff have judgment against Defendants, jointly and severally, for the following damages and relief:

- a. Actual damages in excess of the minimum jurisdictional limits of this court;
- b. Exemplary damages in excess of the minimum jurisdictional limits of this court;
- c. Prejudgment and post judgment interest;

Respectfully submitted,

LAW OFFICES OF GARY R. TREBERT, P.C.

By:  For G. Lee Finley  
G. Lee Finley  
State Bar No. 24014609  
Lynne Renfro

State Bar No. 00791508  
Post Office Box 155545  
Fort Worth, Texas 76155  
(817) 359-2100 Telephone  
(817) 359-2170 Facsimile  
**ATTORNEY FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

A true and correct copy of the above and foregoing document was served on all counsel of record in accordance with the Texas Rules of Civil Procedure on the 11<sup>th</sup> day of August 2005, as follows:

☐ Personal Delivery  
☒ First-Class U.S. Mail - Certified / Return Receipt  
☐ First-Class U.S. Mail  
☐ Commercial Delivery Service  
☐ Facsimile

Gregory G. Jones  
 Law Firm of Gregory G. Jones, P.C.  
 603 S. Main Street, Suite 200  
 Grapevine, Texas 76051  
 (817) 424-9001 Tel  
 (817) 424-1665 Fax  
*Attorney for Defendant*  
 Terry L. Hornbuckle

Evan Lane (Van) Shaw  
 Law Offices of Van Shaw  
 2723 Fairmount  
 Dallas, Texas 75201  
 (214) 754-7110 Tel  
 (214) 754-7115 Fax  
*Attorney for Defendant*  
 Dan Andrew Mikals

James W. Watson  
 Watson, Caraway, Harrington, Nelson,  
 Midkiff & Lunningham, LLP  
 1000 Commerce Bldg.  
 307 West 7<sup>th</sup> Street  
 Fort Worth, Texas 76102  
 (817) 870-1717 Tel  
 (817) 338-4842 Fax  
*Attorney for Defendant*  
 Agape Christian Fellowship of Arlington

Charles Michael Gray  
 Steve Snelson  
 Henslee, Fowler, Hepworth & Schwartz,  
 LLP  
 306 W. 7th Street, Suite 1045  
 Fort Worth, Texas 76102  
 (817) 810-0717 Tel  
 (817) 810-0811 Fax  
*Attorney for Defendants Eben S. Conner,*  
*Sarah Melinda Conner*

Dwayne J. Hermes  
 Christopher P. Hansen  
 Kristen E. Mistretta  
 Hermes Sargent Bates, LLP  
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*Attorney for Defendant*  
 Lisa J. Mikals

Stephen D. Henninger  
 Mark Dyer  
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 (214) 369-1300 Tel  
 (214) 987-9649 Fax  
*Attorney for Defendants James Cleporter*  
*Sharpe, IV, Monita Vining Sharpe,*  
*Gelquetti BV Easter (Quett), Karen Lewis*

*Sent for G. Lee Finley*  
 G. Lee Finley

D



B 10 (Official Form 10) (10/05)

**INSTRUCTIONS FOR PROOF OF CLAIM FORM**

*The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.*

**DEFINITIONS****Debtor**

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

**Creditor**

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

**Proof of Claim**

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

**Secured Claim**

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*.)

**Unsecured Claim**

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

**Unsecured Priority Claim**

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

**Items to be completed in Proof of Claim form (if not already filled in)****Court, Name of Debtor, and Case Number:**

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

**Information about Creditor:**

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

**1. Basis for Claim:**

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in the last four digits of your social security number and the dates of work for which you were not paid.

**2. Date Debt Incurred:**

Fill in the date when the debt first was owed by the debtor.

**3. Court Judgments:**

If you have a court judgment for this debt, state the date the court entered the judgment.

**4. Classification of Claim:****Secured Claim:**

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the amount past due on the claim as of the date the bankruptcy case was

filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

**Unsecured Priority Claim:**

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

**Unsecured Nonpriority Claim:**

Check the appropriate place if you have an unsecured nonpriority claim, sometimes referred to as a "general unsecured claim." (See DEFINITIONS, above.) If your claim is partly secured and partly unsecured, state here the amount that is unsecured. If part of your claim is entitled to priority, state here the amount not entitled to priority.

**5. Total Amount of Claim at Time Case Filed:**

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

**6. Credits:**

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

**7. Supporting Documents:**

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.

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FORM B10 (Official Form 10) (10/05)

UNITED STATES BANKRUPTCY COURT <u>Northern</u> DISTRICT OF <u>Texas</u>		PROOF OF CLAIM
Name of Debtor <u>Agape Christian Fellowship of Arlington</u>	Case Number <u>07-40983-dml11</u>	
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (The person or other entity to whom the debtor owes money or property):  <u>Rae Lynn Yancy</u>	<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.  <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input checked="" type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.	
Name and address where notices should be sent: <u>c/o G. Lee Finley</u> <u>P.O. Box 1307</u> <u>Coppell, TX 75019</u> <u>Telephone number: (214) 256-3906</u>		THIS SPACE IS FOR COURT USE ONLY
Last four digits of account or other number by which creditor identifies debtor:		
Check here <input type="checkbox"/> replaces if this claim <input type="checkbox"/> amends a previously filed claim, dated: _____		
<b>1. Basis for Claim</b> <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input checked="" type="checkbox"/> Other <u>Claim for sexual assault and negligence</u>		
<input type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input type="checkbox"/> Wages, salaries, and compensation (fill out below) Last four digits of your SS #: _____ Unpaid compensation for services performed from _____ to _____ (date) (date)		
<b>2. Date debt was incurred:</b> <u>On or about June 2004</u>		<b>3. If court judgment, date obtained:</b>
<b>4. Classification of Claim.</b> Check the appropriate box or boxes that best describe your claim and state the amount of the claim at the time case filed. See reverse side for important explanations. <b>Unsecured Nonpriority Claim</b> \$ <u>10,000,000.00</u> <input checked="" type="checkbox"/> Check this box if: a) there is no collateral or lien securing your claim, or b) your claim exceeds the value of the property securing it, or if c) none or only part of your claim is entitled to priority.		
<b>Unsecured Priority Claim</b> <input type="checkbox"/> Check this box if you have an unsecured claim, all or part of which is entitled to priority. Amount entitled to priority \$ _____ Specify the priority of the claim: <input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B) <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,000)* earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).		<b>Secured Claim</b> <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other _____ Value of Collateral: \$ _____ Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ _____
<input type="checkbox"/> Up to \$2,225* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____). *Amounts are subject to adjustment on 4/1/07 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
<b>5. Total Amount of Claim at Time Case Filed:</b> \$ <u>10,000,000</u> <u>-0-</u> <u>-0-</u> <u>10,000,000</u> (unsecured) (secured) (priority) (Total) <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.		
<b>6. Credits:</b> The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. <b>7. Supporting Documents:</b> Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. <b>8. Date-Stamped Copy:</b> To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.		THIS SPACE IS FOR COURT USE ONLY
Date <u>04/09/2007</u> Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): <u>/s/ G. Lee Finley, Attorney at Law</u>		

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C.

EXHIBIT

E

## INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In particular types of cases or circumstances, such as bankruptcy cases that are not filed voluntarily by a debtor, there may be exceptions to these general rules.

### DEFINITIONS

#### Debtor

The person, corporation, or other entity that has filed a bankruptcy case is called the debtor.

#### Creditor

A creditor is any person, corporation, or other entity to whom the debtor owed a debt on the date that the bankruptcy case was filed.

#### Proof of Claim

A form telling the bankruptcy court how much the debtor owed a creditor at the time the bankruptcy case was filed (the amount of the creditor's claim). This form must be filed with the clerk of the bankruptcy court where the bankruptcy case was filed.

#### Secured Claim

A claim is a secured claim to the extent that the creditor has a lien on property of the debtor (collateral) that gives the creditor the right to be paid from that property before creditors who do not have liens on the property.

Examples of liens are a mortgage on real estate and a security interest in a car, truck, boat, television set, or other item of property. A lien may have been obtained through a court proceeding before the bankruptcy case began; in some states a court judgment is a lien. In addition, to the extent a creditor also owes money to the debtor (has a right of setoff), the creditor's claim may be a secured claim. (See also *Unsecured Claim*.)

#### Unsecured Claim

If a claim is not a secured claim it is an unsecured claim. A claim may be partly secured and partly unsecured if the property on which a creditor has a lien is not worth enough to pay the creditor in full.

#### Unsecured Priority Claim

Certain types of unsecured claims are given priority, so they are to be paid in bankruptcy cases before most other unsecured claims (if there is sufficient money or property available to pay these claims). The most common types of priority claims are listed on the proof of claim form. Unsecured claims that are not specifically given priority status by the bankruptcy laws are classified as *Unsecured Nonpriority Claims*.

### Items to be completed in Proof of Claim form (if not already filled in)

#### Court, Name of Debtor, and Case Number:

Fill in the name of the federal judicial district where the bankruptcy case was filed (for example, Central District of California), the name of the debtor in the bankruptcy case, and the bankruptcy case number. If you received a notice of the case from the court, all of this information is near the top of the notice.

#### Information about Creditor:

Complete the section giving the name, address, and telephone number of the creditor to whom the debtor owes money or property, and the debtor's account number, if any. If anyone else has already filed a proof of claim relating to this debt, if you never received notices from the bankruptcy court about this case, if your address differs from that to which the court sent notice, or if this proof of claim replaces or changes a proof of claim that was already filed, check the appropriate box on the form.

#### 1. Basis for Claim:

Check the type of debt for which the proof of claim is being filed. If the type of debt is not listed, check "Other" and briefly describe the type of debt. If you were an employee of the debtor, fill in your social security number and the dates of work for which you were not paid.

#### 2. Date Debt Incurred:

Fill in the date when the debt first was owed by the debtor.

#### 3. Court Judgments:

If you have a court judgment for this debt, state the date the court entered the judgment.

#### 4. Classification of Claim

##### Secured Claim:

Check the appropriate place if the claim is a secured claim. You must state the type and value of property that is collateral for the claim, attach copies of the documentation of your lien, and state the

amount past due on the claim as of the date the bankruptcy case was filed. A claim may be partly secured and partly unsecured. (See DEFINITIONS, above).

#### Unsecured Priority Claim:

Check the appropriate place if you have an unsecured priority claim, and state the amount entitled to priority. (See DEFINITIONS, above). A claim may be partly priority and partly nonpriority if, for example, the claim is for more than the amount given priority by the law. Check the appropriate place to specify the type of priority claim.

#### Unsecured Nonpriority Claim:

Check the appropriate place if you have an unsecured nonpriority claim, sometimes referred to as a "general unsecured claim". (See DEFINITIONS, above.) If your claim is partly secured and partly unsecured, state here the amount that is unsecured. If part of your claim is entitled to priority, state here the amount not entitled to priority.

#### 5. Total Amount of Claim at Time Case Filed:

Fill in the total amount of the entire claim. If interest or other charges in addition to the principal amount of the claim are included, check the appropriate place on the form and attach an itemization of the interest and charges.

#### 6. Credits:

By signing this proof of claim, you are stating under oath that in calculating the amount of your claim you have given the debtor credit for all payments received from the debtor.

#### 7. Supporting Documents:

You must attach to this proof of claim form copies of documents that show the debtor owes the debt claimed or, if the documents are too lengthy, a summary of those documents. If documents are not available, you must attach an explanation of why they are not available.